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SEP 30 2005

In re Application of: :
Carlos De La Huerga :
Serial No.: 09/832,770 :
Filed: April 11, 2001 :
For: INTERACTIVE MEDICATION CONTAINER :

DECISION DISCARDING PROTEST
UNDER 37 C.F.R. § 1.291

This is a decision refusing entry of the protest under 37 C.F.R. § 1.291, filed May 13, 2005.

Pursuant to 37 C.F.R. § 1.291, a protest against a pending application must be filed prior to the date of publication of that application or prior to the mailing of a Notice of Allowance under 37 C.F.R. § 1.311, whichever occurs first.

The instant application was published on October 11, 2001, as application publication No. US20010028308A1. Accordingly, the protest was not timely filed and will not be entered in the file record pursuant to M.P.E.P. § 1901.06.

The protest does not include an indication that a copy was served on the applicant and was not filed in duplicate. As such, instead of discarding the protest, it is enclosed with this decision for applicant's record.

A copy of this decision will be made of record.

Richard K. Seidel, Director
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

Enclosure: Protest filed May 13, 2005